

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDALLAH FAKIH,

Petitioner,

v.

H. BARRON, Warden, Federal Detention
Center SeaTac, *et al.*,

Respondents.

Case No. C23-1442-RAJ-MLP

ORDER APPOINTING FEDERAL
PUBLIC DEFENDER

This is a federal habeas action filed under 28 U.S.C. § 2241. Petitioner Abdallah Fakih is currently confined at the Federal Detention Center in SeaTac, Washington (“FDC SeaTac”). Petitioner submitted with his petition for writ of habeas corpus a motion asking that the Federal Public Defender be appointed to represent him in this matter, which concerns the application of First Step Act Time Credits to Petitioner’s sentence. (Dkt. # 2.) Petitioner’s motion is currently before the Court for consideration.

Petitioner alleges in his underlying petition that the Federal Bureau of Prisons (“BOP”) is not currently applying towards his sentence earned time credits to which he is entitled under the First Step Act (“FSA”), 18 U.S.C. § 3632(d). (*See* dkt. # 1.) In particular, Petitioner claims that

1 he has accumulated sufficient credits to entitle him to be transferred to pre-release custody, but
2 the BOP has unlawfully delayed that transfer. (*See id.* at 2-5, 7-8.)

3 The Court is persuaded that, given the complex issues involved in this case, the interests
4 of justice require that counsel be appointed for Petitioner. *See* 18 U.S.C. § 3006A(a)(2)(B). As
5 required by statute, Petitioner has demonstrated financial eligibility for such appointment. *See id.*
6 Accordingly, Petitioner's motion for appointment of counsel (dkt. # 2) is GRANTED. The Court
7 appoints the Federal Public Defender to represent Petitioner in these proceedings.

8 The Clerk shall send copies of this Order to Petitioner, to the Federal Public Defender, to
9 the United States Attorney's Office, and to the Honorable Richard A. Jones.

10 Dated this 26th day of September, 2023.

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13 MICHELLE L. PETERSON
14 United States Magistrate Judge
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